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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/726,591

12/04/2003

Norihisa Yato

01-523

6918

23400

7590

06/21/2005

POSZ LAW GROUP, PLC  
12040 SOUTH LAKES DRIVE  
SUITE 101  
RESTON, VA 20191

EXAMINER

NGUYEN, THU V

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/726,591	<b>Applicant(s)</b> YATO, NORIHISA	
	<b>Examiner</b> Thu Nguyen	<b>Art Unit</b> 3661	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 4,5 and 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/17/04</u> . | 6) <input type="checkbox"/> Other: _____  |




### DETAILED ACTION

The amendment filed on April 5, 2005 has been entered. By this amendment, claims 4, 5, 7 have been withdrawn from consideration, and claims 1-3, 6, and 8 are now pending in the application.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 3, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima et al (US 2003/0100323) in view of Kurokawa et al (US 5,546,092).

As per claim 1, 8, Tajima teaches a device comprising: a time indicating unit 2 (fig.1); a designating unit for designating time (lines 1-5 of para 0050); a time changing unit for changing the time on the indicating unit (para 0065); Tajima further teaches a displaying unit capable of displaying the indicated time from the time indicating unit 8 (fig.1) (para 0034). Tajima does not explicitly disclose an arrival time estimating unit for estimating an arrival time at a destination, changing the estimated arrival time based on the given period, and displaying the estimated arrival time. However, Tajima teaches the capability of changing several set times such as scheduled times together with the change of the present time (para 0051; 0070), moreover, Kurokawa teaches the capability of determining and displaying estimate time for arrival at a

destination (col.6, lines 46-64) and the capability of compensating time difference between the local time and the universal time of convention (col.5, lines 10-15); furthermore, determining arrival time by adding the time at the present location with the period necessary for travel to the destination would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the capability of determining the expected time of arrival of Kurokawa, to write and to display the expected time of arrival to the memory device of Tajima in order to facilitate providing the user expected time of arrival that is adjusted when the time at the origin is adjusted.

As per claim 2, Kurokawa teaches setting time difference in units of hours (col.5, lines 10-15; fig.3).

As per claim 3, Tajima teaches detecting moving to a region that has a different time standard (lines 5-9 of para 0050); computing time following the time standard of a region (lines 1-7 of para 0051); Tajima also teaches detecting moving to a region that has a different time standard, computing given time (the time difference in Tajima) and designating the given time into which the time changing unit changes the time indicated by the indicating unit (para 0051; 0064-0065).

As per claim 6, mounting a navigation device to a vehicle would have been well known.

***Response to Arguments***

3. Applicant's arguments filed April 5, 2005 have been fully considered but they are not persuasive.

In response to applicant's argument on page 7, last two paragraphs, Tajima does not explicitly teach a navigation device. However, Tajima teaches an electronic PDA (para 0005) or a portable electronic apparatus having GPS unit (para 0024; 0026). It is noted that including navigation feature to a PDA having GPS unit would have been well known. Therefore including navigation features taught by Kurokawa to the PDA device of Tajima would have been obvious.

In response to applicant's argument on page 8, first paragraph, concerning the time changing unit, the arrival time estimating unit, refer to the claim rejection 35 USC 103 in claim 1 above. Concerning displaying unit, Tajima at least teaches displaying the indicating time provided by the indicating unit 8 (fig.2) (para 0034), and Kurokawa teaches displaying estimated arrival time with local time compensated (col.6, lines 55-63; col.5, lines 10-15). Displaying both the time information on a display when such the time data is available would have been an obvious matter of design choice.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 9, 2005



**THU V. NGUYEN**  
**PRIMARY EXAMINER**